(6)

SECTION CLERK

CF 1002

IN THE HIGH COURT OF CHHATTISGARH

AT: BILASPUR

W.P. (C) No. 75 OF 2007

PETITIONER: Vinod Kumar Soni, aged 54 years, son of Shri Ramcharan Soni, resident of Sunaliya jewelers, power house road, Korba, tehsil & district - Korba (Chhattisgarh).

192/07 Ajay Alfred & SP(L) 5/11/07

Presented on dated

VERSUS

RESPONDENTS: (1) State of Chhattisgarh, through the Secretary, Department of Revenue, Raipur,
(2) District Collector, Korba (C. G.),
(3) Municipal Corporation, Korba, through the Commissioner (Municipal Corporation) Korba (C.G.),
(4) Tehsildar, Korba tehsil, Korba, (C.G.).

RECEIVED-COPY 5/11/07 CLERK to A. G. BILASPUR

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT IN THE NATURE OF CERTIORARI, MANDAMUS, PROHIBITION AND FOR OTHER SUITABLE WRIT, ORDER, DIRECTION.

... to submit as

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(55)

आदेश पत्रक

मामला क्रमांक W.P.(C).No 75/07 **सन्** **200**

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	06/02/2007 Shri Somnath Verma, counsel for the petitioner. Shri Sumit Verma, Panel Lawyer for the State. Heard. Respondent No.4 has initiated proceeding against the petitioner for removal of encroachment made by the petitioner. Petitioner claiming the land his own has filed the instant petition for a direction to respondents not to dispossess him from his house and shop over the land in dispute. Apparently it is a title dispute and the petitioner has a burden to prove his title in the competent court of jurisdiction. He has alternative remedy available for restraining the respondents by appropriate injunction by filing a civil suit in the competent court of jurisdiction. The matter relates to factual adjudication as well as petitioner has alternative efficacious remedy available with other jurisdiction. Therefore, I am not inclined to step in under Article 226 of the Constitution of India to interfere with the proceedings pending before the Revenue Court. However, if the petitioner files a civil suit, the learned civil Court will decide the matter as early as possible. With the aforesaid direction, this petition is disposed of. Consequently, M.W.P.No.115.2007 and I.A.No.361/2007 also stand disposed of. Certified copy as per rules. **Sd/-** **V.K.Shrivastava** **Judge**	

Raju

(पीछे देखिये)

9/2/12